

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KURTIS E. ARMANN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 04-118 Erie
	)	
WARDEN, FCI-MCKEAN,	)	
	)	
Respondent.	)	

**ORDER**

Upon consideration of Respondent's Motion for Certification of Order for Interlocutory Appeal to the United States Court of Appeals for the Third Circuit, it is hereby ORDERED on this 27<sup>th</sup> day of July, 2007, that Respondent's Motion for Certification is GRANTED.

IT IS FURTHER ORDERED THAT the Court's May 31, 2007 Memorandum Opinion and Order is hereby amended to indicate that, pursuant to 28 U.S.C. Section 1292(b), the "order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation." Therefore, the Court's May 31, 2007 Order is hereby certified for immediate interlocutory appeal to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. Section 1292(b).

/s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record.